

Lake Charles, La., alleging that the article had been shipped in interstate commerce, on or about June 2, 1933, by the American Maid Flour Mills from Houston, Tex., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "American Maid Flour American Maid Flour Mills, Houston, Texas, 24 Lbs. Net, Bleached Flour"; or "Majesty Flour American Maid Flour Mills, Houston, Texas, 6 lbs. net Bleached."

It was alleged in the libel that the article was misbranded in that the statements, "24 Lbs. Net" and "6 Lbs. Net", borne on the labels, were false and misleading and deceived and misled the purchaser, since the bags contained less than the declared weights. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package, since the statement made was incorrect.

On July 11, 1933, the American Maid Flour Mills having appeared as claimant for the property, a decree was entered permitting the claimant to take the product down under a bond in the sum of \$250, the conditions of which required that costs be paid and that the flour be repacked or relabeled under the supervision of this Department.

M. L. WILSON, *Acting Secretary of Agriculture.*

22206. Adulteration of canned shrimp. U. S. v. 100 Cases and 30 Cases of Canned Shrimp. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30782. Sample no. 41607-A.)

This case involved a shipment of canned shrimp which was in part decomposed.

On July 29, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 130 cases of canned shrimp at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about June 10, 1933, by the Aughinbaugh Canning Co., from Biloxi, Miss., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Nigger Bead Brand Shrimp Distributed by Aughinbaugh Canning Co., Baltimore, Md."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed animal substance.

On March 31, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22207. Adulteration and misbranding of Old English Punch Maker. U. S. v. 664 Packages of Old English Punch Maker. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31022. Sample nos. 37097-A, 54822-A.)

This case involved a product labeled to convey the impression that when used as a beverage base it would give the distinctive flavor of strawberry or raspberry. Examination showed that the articles contained undeclared artificial color and that when used as directed did not possess the flavors of the said fruits. Examination also showed that the statement of the quantity of the contents was not clear and distinct.

On or about March 8, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 664 packages of Old English Punch Maker at Portland, Oreg., alleging that the article had been shipped in interstate commerce by the Western Sales Corporation from Seattle, Wash., in various shipments, on or about June 1, July 20, and August 10, 1933, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended. The articles were labeled: "Old English Punch Maker Raspberry [or "Strawberry"]."

It was alleged in the libel that the article was adulterated in that artificially colored mixtures of sugar and acid containing no fruit flavor, or a negligible amount of fruit flavor, had been substituted for a beverage base containing fruit flavors, and for the further reason that the article had been mixed and colored in a manner whereby inferiority was concealed.

Misbranding was alleged for the reason that the statements on the carton and in the circular, "Punchmaker Strawberry [or "Raspberry"] Flavor", were false and misleading and deceived and misled the purchaser. Misbranding

was alleged for the further reason that the articles were imitations of and were offered for sale under the distinctive names of other articles, and for the further reason that they were in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages.

On April 5, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22208. Adulteration of canned turnip greens. U. S. v. 78 Cases of Canned Turnip Greens. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 31044. Sample no. 49682-A.)

This case involved a shipment of canned turnip greens which were found to be in part decomposed.

On September 2, 1933, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 78 cases of canned turnip greens at Memphis, Tenn., alleging that the article had been shipped in interstate commerce on or about August 15, 1933, by C. W. Barnett from Batesville, Ark., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Miss-Lou Brand Fancy Turnip Greens * * * Packed by Dorgan McPhillips Packing Corp., Mobile, Ala."

It was alleged in the libel that the article was adulterated in that it consisted in part of a decomposed vegetable substance.

On March 31, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22209. Adulteration of canned salmon. U. S. v. 1,780 Cases of Canned Salmon. Portions released upon payment of costs. Remainder condemned and forfeited, and released under bond for separation and destruction of unfit salmon. (F. & D. no. 31134. Sample nos. 55307-A, 55320-A.)

This case involved a shipment of canned salmon variously coded. Samples taken from certain of the codes were found to be decomposed.

On September 21, 1933, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,780 cases of canned salmon at Seattle, Wash., alleging that the article had been shipped in interstate commerce, on or about July 29, 1933, by the Cook Inlet Packing Co., from Seldovia, Alaska, and charging adulteration in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a decomposed animal substance.

The Cook Inlet Packing Co., Seattle, Wash., filed a claim for the property and all lots, with the exception of 571 cases covered by one code, were ordered released upon payment of costs. On April 16, 1934, judgment was entered condemning and forfeiting this remaining lot, and it was ordered by the court that it be released to the claimant upon payment of costs and the execution of a bond in the sum of \$750, conditioned that the decomposed portions be segregated and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

22210. Adulteration of canned shrimp. U. S. v. 50 Cases, 1,380 Cases, and 928 Cases of Canned Shrimp. Consent decrees of condemnation and forfeiture. Product released under bond for elimination of unit portions. Rejected portions delivered to Bureau of Fisheries for use as fish food. (F. & D. nos. 31156, 31550. Sample nos. 43596-A, 51176-A, 51177-A.)

These cases involved shipments of canned shrimp which was found to be in part decomposed.

On September 25 and November 8, 1933, the United States attorney for the Northern District of New York, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 2,358 cases of canned shrimp at Albany, N.Y., alleging that the article had been shipped in interstate commerce, in two consignments, on or about September 12 and September 29, 1933, by the C. B. Foster Packing Co., from New Orleans, La., and charging adulteration in violation of the Food and Drugs Act. The product,